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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MARIO J. ASENJO,

Plaintiff,

v.

**BANK OF AMERICA, N.A.,
GMAC MORTGAGE, LLC., and
EXPERIAN INFORMATION
SOLUTIONS, INC.,**

Defendant.

Case No.: 2:15-cv-00299-RFB-CWH

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND DISCOVERY
DEADLINES PURSUANT TO FED.
R. CIV. PR. 16(B)(4) AND LOCAL
RULE 26-4**

[FIRST REQUEST]

1 Plaintiff MARIO J. ASENJO (“Plaintiff”), and Defendant BANK OF
2 AMERICA, N.A. (“Bank of America”), hereby submit the following Stipulation to
3 Extend Discovery Deadlines Pursuant to Fed. R. Civ. Pr. 16(b)(4) and Local Rule
4 26-4. The current deadline is set for September 22, 2015. Plaintiff and Defendant
5 Experian Information Solutions, Inc. (“Experian”) have reached settlement, and a
6 notice was filed with this Court. *See* Dkt. No. 26.
7

8 Pursuant to Local Rule 26-4 (a-d), the parties state as follows:
9

10 **A. Discovery Completed to Date:**

11 Plaintiff conducted written discovery with Experian. Plaintiff and Bank of
12 America will propound written discovery prior to the current discovery cutoff of
13 September 22, 2015.
14

15 **B. Discovery that Remains to be Completed:**

16 The parties will provide responses to the respective written discovery
17 requests. The parties also intend to conduct depositions during the discovery
18 extension period should Plaintiff and Bank of America not reach resolution.
19

20 **C. Reasons for the Request to Extend Discovery Deadlines:**

21 A 60-day extension of the current discovery deadline is necessary in order
22 for the parties to adequately try this matter. This extension will allow the parties a
23 chance to resolve this matter without further litigation. Plaintiff and Bank of
24 America have been engaged in good faith settlement negotiations over the course
25 of the previous number of months, including after Defendant filed its Motion to
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1 Dismiss. *See* Dkt. No. 20. Briefing on issues surrounding the Motion to Dismiss
2 did not complete until August 10, 2015, leaving little more than one month of the
3 original discovery period remaining. Thus, Plaintiff and Bank of America believe
4 that it is in the interest of judicial economy to allow all pending discovery to be
5 conducted so that the parties may adequately and fully try this matter before the
6 Court should resolution not occur.
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8
9 The parties are working in conjunction to allow both sides to fully present
10 their arguments to the Court. Extending discovery will allow the parties to
11 coordinate discovery responses and depositions so that the parties may fully
12 present their positions to this Court without any prejudice to either party.
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D. Proposed Schedule for Completing all Remaining Discovery:

The current discovery deadline is set for September 22, 2015. The parties propose the following schedule for all remaining discovery deadlines:

1. The close of discovery should be extended to November 23, 2015¹;
2. The dispositive motion deadline should be extended to December 23, 2015;
3. The Joint Pre-Trial Order deadline should be extended to January 22, 2016.

DATED: August 21, 2015

AKERMAN LLP

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/s/ Matthew Knepper

/s/ DANNY J. HOREN

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IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: August 24, 2015

¹ 60 days from September 22 is November 21, which falls on a Saturday. November 23, 2015 is the next judicial day.